



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

February 15, 2010

VIA CERTIFIED MAIL

7002 0510 0002 7964 5635

Mr. Gregg Hebbe
Shelby Materials, Inc.
P.O. Box 242
Shelbyville, Indiana 46176

Dear Mr. Hebbe:

Re: NPDES General Permit No. ING490093
Shelby Materials Edinburgh Sand & Gravel
7520 East County Road 650 South
Edinburgh, Indiana
Johnson County

Our office has received your Notice of Intent (NOI) submittal in regards to the above-referenced facility. We are pleased to inform you that the submittal is sufficient to comply with the NOI requirements in 327 IAC 15-12, Facilities Engaged in Sand, Gravel, Dimension Stone, or Crushed Stone Operations. The general permit rule requirements are contained in 327 IAC 15-1 through 15-4 and 15-12.

The NPDES general permit identification number assigned to this facility in the previous approval will be used again in this approval. This number will be used as an identification number and should be included on all correspondence submitted to IDEM in relation to this NPDES general permit. The NPDES general permit number which has been assigned to this facility is:

ING490093.

Due to the fact that 327 IAC 15-12 is a permit by rule, you will NOT be receiving an actual permit. However you will be responsible for following the general rule requirements contained in the 327 IAC 15-1 through 15-4 and 15-12, which were sent to you with your original approval letter. Included in general permit rule 327 IAC 15-12 is the requirement for periodic reporting of several effluent parameters. This reporting will continue to be required using the forms that were sent to you previously. Should you need additional copies of this form it is also available on the internet at the following web site:

<http://www.in.gov/idem/5104.htm>

327 IAC 15 is also available on the internet at the following website:

<http://www.in.gov/idem/4087.htm>

Additionally, you will soon be receiving a supply of the computer generated preprinted federal NPDES DMR forms. Both the state and federal forms need to be completed and submitted on a routine basis. If you do not receive the preprinted DMR forms in a timely manner, please call this office at 317/232-8670.

Renewal of coverage for the facility will include all outfalls listed on Attachment 1 to this correspondence. Since the expiration date of IDEM's previous approval of your facility to operate under 327 IAC 15-12 is February 28, 2010, this renewal of coverage under 327 IAC 15-12 shall become effective on **March 1, 2010**, unless a person aggrieved or adversely affected by the acceptance appeals this decision. Coverage under this general permit rule expires on **February 28, 2015**. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as required by the Indiana Department of Environmental Management no later than ninety (90) days prior to the date of expiration.

Please note that any person who is adversely affected or aggrieved by this acceptance for coverage under the cited NPDES general permit rule may, within eighteen (18) days from the mailing date of this notification, appeal this acceptance by filing a written petition for administrative review with the Office of Environmental Adjudication, in accordance with IC 4-21.5-3-7. This petition constitutes a request for an adjudicatory hearing. The procedure for appeal is outlined in more detail on the attached page.

The Office of Environmental Adjudication will provide parties who request review of this acceptance for coverage with notice of prehearing conferences, preliminary hearings, hearing, and stays or orders disposing of all proceedings. Nonparties may receive such notices without intervening and formally becoming parties in the proceeding by requesting copies of such notices from the Office of Environmental Adjudication.

Please note that in accordance with 327 IAC 15-12-5(c), IDEM shall public notice its decision to accept your facility for coverage under the general permit rule.

If you have any questions regarding this letter, please contact Ms. Sheri L. Jordan of our staff at 317/232-8703.

Sincerely,



Catherine Hess, Chief
Permits Administration Section
Office of Water Quality

Slj/
cc: Johnson County Health Department

ATTACHMENT 1

Shelby Materials – Edinburgh Sand & Gravel

NPDES PERMIT NO. ING490093

EFFECTIVE DATE: **March 1, 2010**

OUTFALLS PERMITTED FOR THIS FACILITY

OUTFALL	DNR BASIN	LATITUDE	LONGITUDE	MINE DRAINAGE STATUS	RECEIVING WATER
002	N/A	39°, 23', 00"	85°, 57', 51"	N/A	Big Blue River

STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PUBLIC NOTICE NO. 2010 – 2D -GP

DATE OF NOTICE: February 15, 2010

The Office of Water Quality issues the following **NPDES GENERAL PERMIT**.

RENEWAL

SHELBY MATERIALS – EDINBURGH SAND & GRAVEL., Permit No. ING490093, JOHNSON COUNTY, Edinburg, IN. This facility will discharge non-process wastewater to Big Blue River. The Notice of Intent (NOI) letter submitted complies with the requirements in 327 IAC 15-12, Facilities Engaged in Sand, Gravel, Dimension Stone, or Crushed Stone Operations. Permit Writer: Sheri Jordan at 317/232-8703.

PROCEDURES TO APPEAL

General Permit documents are available for inspection at IDEM, Office of Water Quality/Permit Section, IGCN, 100 N Senate Ave, Indianapolis, IN, Room 1203, from 9 - 4, Monday-Friday (copies 10¢ per page). The General Permit is also available at the local Health Department. Please tell others you think would be interested in this matter.

Appeal Procedure: Any person affected by the issuance of the Final Permit may appeal by filing a Petition for Administrative Review with the Office of Environmental Adjudication within eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law.

Timely filing: The Petition for Administrative Review must be received by the Office of Environmental Adjudication (OEA) within 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. This Petition for Administrative Review represents a request for an Adjudicatory Hearing, therefore must:

- state the name and address of the person making the request;
- identify the interest of the person making the request;
- identify any persons represented by the person making the request;
- state specifically the reasons for the request;
- state specifically the issues proposed for consideration at the hearing;
- identify the Final Permit Rule terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing this NPDES Permit rule.

If the person filing the Petition for Administrative Review desires any part of the NPDES Final Permit Rule to be stayed pending the outcome of the appeal, a Petition for Stay must be included in the appeal request, identifying those parts to be stayed. Both Petitions shall be mailed or delivered to the address here:
Phone: 317/232-8591.

Environmental Law Judge
Office of Environmental Adjudication
IGC – North Building- Rm 501
100 N. Senate Avenue
Indianapolis IN 46204

Stay Time frame: If the Petition (s) is filed within eighteen (18) days of the mailing of this Public Notice, the effective date of any part of the permit, within the scope of the Petition for Stay is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

Hearing Notification: Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the Petition for Administrative Review. Petition for Administrative Review must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the OEA at the phone listed above.



Indiana Department of Environmental Management
 NPDES General Permit Notice of Intent (NOI) Letter Submittal Application
 327 IAC 15-12 Facilities Engaged in Sand, Gravel, Dimension Stone, or Crushed Stone Operations

IDEM
 OFFICE OF
 WATER QUALITY
 2007 JAN 27 A 11:03

I. PURPOSE OF SUBMITTAL:				
Please check one box. Also provide existing permit number and reason for modification if applicable. You may attach additional sheets if they are needed.				
NEW	RENEW	MODIFY	EXISTING PERMIT NO.	IF MODIFICATION WHAT IS CHANGING
	X		ING490093	

II. GENERAL INFORMATION						
Complete all boxes in sections a and b for name of company and person who is to receive the permit. Complete boxes in sections c, d, e, f, g, h, and i or fill in N/A for non-applicable as they apply for the facility that the permit is to apply to.						
a. APPLICANT NAME (TO THE ATTENTION OF)			e. FACILITY SIC CODE		f. FACILITY COUNTY	
Gregg Hebbe			1429		Johnson	
b. APPLICANT'S COMPANY AND COMPLETE MAILING ADDRESS			b. LATITUDE AND LONGITUDE OF APPROXIMATE FACILITY CENTER			
COMPANY NAME Shelby Materials, Inc.			Latitude		Longitude	
STREET ADDRESS PO Box 242			degree 39	minute 23	second 13	degree -85
CITY Shelbyville			minute 57	second 35	CITY Edinburgh	
STATE IN			ZIP CODE 46176		STATE IN	
c. FACILITY NAME			i. FACILITY CENTER TOWNSHIP, RANGE, SECTION, QUARTER SECTION			
Edinburgh Sand & Gravel			Township		Range	
d. FACILITY MAILING ADDRESS			j. FACILITY PHYSICAL LOCATION IF DIFFERENT FROM 11d			
STREET ADDRESS PO Box 242			STREET ADDRESS 7520 East 650 South			
CITY Shelbyville			CITY Edinburgh		ZIP CODE 46124	

III. CONTACT INFORMATION AUTHORIZED SIGNATORY	
This section applies to the responsible corporate officer and/or alternate person who is authorized in writing by the responsible corporate officer to carry signatory responsibilities for the facility under 327 IAC 15-4-3 (g). Please complete all boxes or mark N/A for non-applicable. If the signatory is not a corporate officer please also submit the letter from the responsible corporate officer granting him/her this authority.	
a. APPLICANT SIGNATORY CONTACT PERSON AND TITLE	d. ALTERNATE PERSON TO ANSWER QUESTIONS
Gregg Hebbe, Vice President	Jim Horner
b. APPLICANT SIGNATORY CONTACT PERSON TELEPHONE	e. ALTERNATE PERSON'S TELEPHONE
317-392-5501	317-512-6497
c. APPLICANT EMAIL ADDRESS	f. ALTERNATE PERSON'S EMAIL ADDRESS
gregghebbe@shelbymaterials.com	jimhorner@shelbymaterials.com

IV. OTHER CONTACT INFORMATION			
DISCHARGE MONITORING REPORTS CONTACT AND MAILING INFORMATION		c. CONTACT AND COMPANY NAME	
		Gregg Hebbe	
a. CONTACT TELEPHONE NUMBER 317-392-5501		d. STREET ADDRESS PO Box 242	
b. CONTACT EMAIL ADDRESS gregghebbe@shelbymaterials.com		e. CITY Shelbyville	f. STATE IN
		g. ZIP 46176	
ANNUAL FEE AND FINANCIAL CONTACT AND BILLING ADDRESS		i. COMPANY AND CONTACT PERSON NAME	
		SAME	
h. CONTACT TELEPHONE NUMBER		k. STREET ADDRESS	
j. CONTACT EMAIL ADDRESS		l. CITY	m. STATE
		n. ZIP	
OTHER CONTACT AND MAILING INFORMATION (SPECIFY BELOW)		q. COMPANY AND CONTACT PERSON NAME	
		SAME	
o. CONTACT TELEPHONE NUMBER		r. STREET ADDRESS	
p. CONTACT EMAIL ADDRESS		s. CITY	t. STATE
		u. ZIP	

V. RULE QUALIFICATION
<p>The purpose of this rule is to regulate wastewater discharges from sand, gravel, dimension stone, and crushed stone operations which utilize sedimentation basin treatment for: 1) pit dewatering; 2) channel machines; 3) broaching; 4) jet piercing; 5) scrubber water from wet scrubbers used for air pollution control; 6) dust suppression spray water; 7) wash water from spray bars for final screening operations; and 8) noncontact cooling water for cooling of crusher bearings; drills; saws; dryers; pumps; and air compressors. Is this consistent with the facility's operation and discharges?</p> <p>(please check one) <input checked="" type="checkbox"/> YES <input type="checkbox"/> X <input type="checkbox"/> NO</p>
<p>Please provide a brief description of the facility operation that results in the discharge if the answer to the above question is no or if you feel that further explanation is needed. You may attach additional sheets.</p> <p>See Attached Narrative.</p>

VI. TOPOGRAPHICAL MAP
<p>A topographical map must be submitted with this application. The map must include the following items:</p> <ul style="list-style-type: none"> (A) the location of the operation shown clearly and identified by name and by mark; (B) the location of each numbered outfall shown clearly and identified by number and by mark; (C) the receiving streams that each outfall discharges to shown clearly and identified by name; (D) any existing permanent structures or roads in the area shown clearly and identified by name. <p>Please attach this completed map to the application and submit both together.</p>

VII. OUTFALL INFORMATION:										
Please fill out the following information for all outfalls. You may attach additional sheets if necessary.										
a. OUTFALL NO.	b. LATITUDE			c. LONGITUDE			d. TYPE OF WASTEWATER DISCHARGED	e. RECEIVING WATER	f. Is the discharge to storm sewer?	g. NAME OF MUNICIPAL OPERATOR OF STORM SEWER
	deg.	min.	sec.	deg.	min.	sec.				
002	39	23	0	-85	57	51	Mining Pit	Big Blue River	Y/N	
									Y/N	
									Y/N	
									Y/N	
									Y/N	
									Y/N	
									Y/N	
									Y/N	

VIII. POTENTIALLY AFFECTED PERSONS FORM
<p>Pursuant to IC 4-21.5 it is required that a Potentially Affected Person form be completed and submitted with this application. The form is attached.</p> <p>Please fill out this form in its entirety and submit it with the application.</p>

IX. PROOF OF PUBLICATION
<p>It is required that a public notice statement be published in a newspaper of largest circulation in the area where the discharge(s) will be occurring. This publication must be in the newspaper for a minimum of one day and must include the following language: (your facility name, address, address of the location of the discharging facility, and the streams receiving the discharge(s)) "is submitting a Notice of Intent letter to notify the Indiana Department of Environmental Management of our intent to comply with the requirement under 327 IAC 15-12 to discharge wastewater associated with sand, gravel, dimension stone, or crushed stone operations. Any person aggrieved by this action may appeal in writing to the Environmental Law Judge of the Office of Environmental Adjudication for an adjudicatory hearing on the question of whether this facility should operate under this NPDES general permit rule. An appeal must be postmarked no later than fifteen (15) days from the date of this public notice. Such a written request for an adjudicatory hearing must:</p> <ul style="list-style-type: none"> (A) state the name and address of the person making the request; (B) identify the interest of the person making the request; (C) identify any persons represented by the person making the request; (D) state with particularity the reasons for the request; (E) state with particularity the issues proposed for consideration at the hearing; and (F) state with particularity the reasons why the NPDES general permit rule should not be available to the discharger identified in this notice. <p>Any such request shall be mailed or delivered to:</p> <p style="padding-left: 40px;">Office of Environmental Adjudication Indiana Government Center - North 100 North Senate Avenue, Room 501 Indianapolis, Indiana 46204"</p> <p>Please attach proof of publication of this statement from the newspaper to the application and submit both together.</p>

X. ANNUAL FEE:

A fee is required to be submitted with this application in accordance with IC 13-18-20-12. The fee is \$50 for the initial submittal (for a new permit) or for an application for renewal or modification.

Please list amount submitted \$ 50.00, attach to and submit with application.
Checks or money orders shall be made payable to IDEM.

XI. CERTIFICATION STATEMENT

It is required by 327 IAC 15-4-3 (g) (3) that the following statement shall be included in the application. The authorized representative (as defined by 327 IAC 15-4-3(g)(2) and identified in item IIIa above) makes the following certification by signed and dating this section of the application below:

"I certify under penalty of law that this document and all its attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Gregg Hebbe, Vice President

317-392-5501

Name and official title (type or print)

Area Code and phone No.

Signature

Date signed

Submit completed form and attachments to the following address:

Indiana Department of Environmental Management
Office of Water Quality - Mail Code 65-42
NPDES Permits Section
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

Indiana Department of Environmental Management
NPDES General Permit-By-Rule Program
For Facilities Engaged in Sand, Gravel, Dimension Stone, or Crushed Stone
Operation
327 IAC 15-12

Shelby Materials Edinburgh
Description of Wastewater Discharged Through Outfall 002

Deposits of sand and gravel, the unconsolidated granular materials resulting from the natural disintegration of rock or stone, are generally found in near-surface alluvial deposits and in subterranean and subaqueous beds. Sand and gravel are siliceous and calcareous products of the weathering of rocks and unconsolidated or poorly consolidated materials. Such deposits are common throughout the State of Indiana.

The sand and gravel is mined in wet conditions by open pit excavation or by dredging. The open pit excavation is carried out with power shovels, draglines, and/or front end loaders. After mining, the materials are transported to the processing plant by suction pump, belt conveyors, and/or dump truck.

Although significant amounts of sand and gravel are used for fill, bedding, subbase, and basecourse without processing, most domestic sand and gravel are processed prior to use. The processing of sand and gravel for a specific market involves the use of different combinations of washers, screens, classifiers to segregate particle sizes, and dryers for drying the sand as well as storage and loading facilities. As the products are directed through these various processes, excess water is released and returned to the quarry pit. Therefore, the water in the quarry pit, as it discharges via Outfall 002, is a combination of groundwater, stormwater, and the process wastewater.

Shelby Materials
PO Box 242

Shelbyville, IN 46176

Re: Big Blue River
11933585

TO: Daily Journal
2575 N. Morton Street
Franklin, IN 46131

PUBLISHER'S CLAIM

Data for computing costs:

Number of lines per column 63
Number of Columns 1
Number of Insertions 1

COMPUTATION OF CHARGES

Lines x Columns x Insertions x Rate of **\$1.50** per line \$94.50
Additional charge for notices containing rule or tabular work
(50% of above amount)
Charge for extra proofs of publication.....
(\$5.00 for each proof in excess of two)
TOTAL AMOUNT OF CLAIM \$94.50

Pursuant to the provisions and penalties of Chapter 155, Acts 1953, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date November 25, 2009

Kayla Fechtman
Legal Advertising Clerk

LEGAL ADVERTISEMENT
Shelby Materials, Inc.
7520 East 650 South, Edin-
burgh, IN 46124, dis-
charges process water to
the Big Blue River. We are
submitting a Notice of Intent
letter to notify the Indiana
Department of Environ-
mental Management of our
intent to continue to comply
with the requirements under
327 IAC-15-12 to discharge
wastewater associated with
sand, gravel, dimension
stone, or crushed stone op-
erations. Any person ag-
grieved by this action may
appeal in writing to the
Technical Secretary of the
Water Pollution Control
Board for an adjudicatory
hearing on the question of
whether this facility should
operate under this NPDES
general permit rule. An ap-
peal must be postmarked
no later than fifteen (15)
days from the date of this
public notice. Such a written
request for an adjudicatory
hearing must:

Now for full details
1-877-227-2995
ORABLE Miracle Heater
Cuts Heating Bills 50%
Heats 1,000 sq ft. Radio
by Warranty Money
Back Guarantee Free
Shipping. Retail \$397.
Limited Time Only \$279
www.heaters.com
877-333-5018
locking noise - white and
pastel unicorn makes
various noise sounds
Approx 23" x 33" x 20"
694-333-2222 before 9pm

PUBLISHER'S AFFIDAVIT

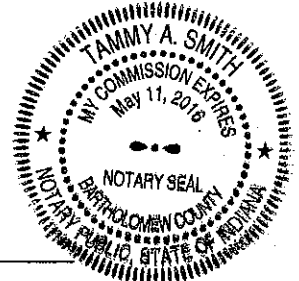
State of Indiana)
Johnson County) ss:

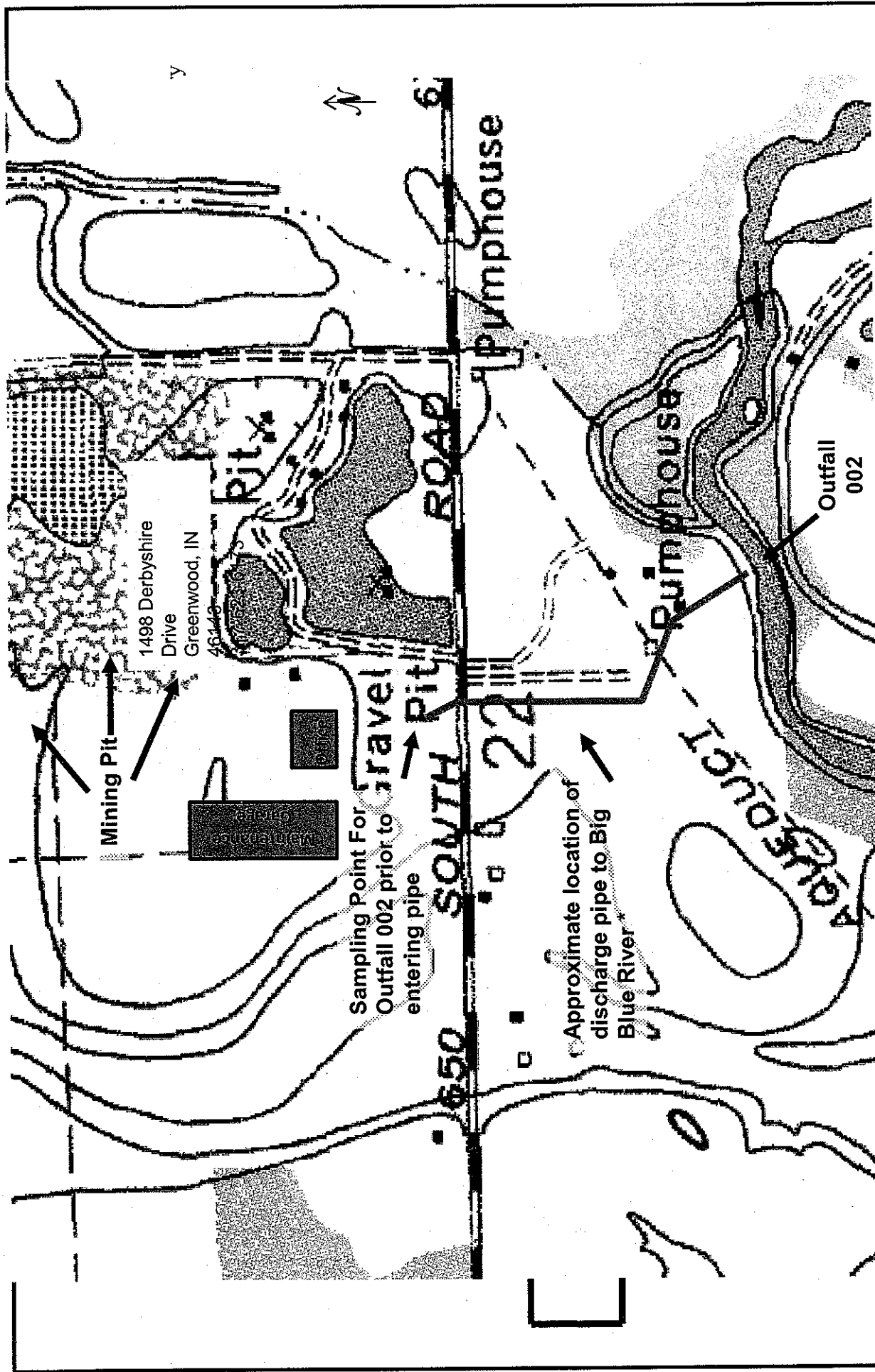
Personally appeared before me, a notary public in and for said
county and state, the undersigned Kayla Fechtman, who being
duly sworn, says that she is Legal Advertising Clerk of
the Daily Journal newspaper of general circulation printed and
published in the English language in the (city/town) of
Franklin in state and county aforesaid, and that the printed
matter attached hereto is a true copy, which dates of
publication being as follows:

11/25/2009

Subscribed and sworn to before me this 25th day of November.

Tammy Smith Notary Public
Commission expires: May 11, 2016





Drawn By: E Welling N.T.S.
Date: Dec 4, 2009



Forte Environmental Strategies
Strong compliance strategies are our forte

Lat: 39.389564° Long: -85.961181°
Shelby Materials, Inc.
7520 East 650 South
Edinburgh, Indiana 46124

Figure 1
Rule 12 Application Topographic Map

Approximate Facility Boundary
(For Visual Purposes Only)



Figure 2

Rule 12 Application - Facility Boundary Map

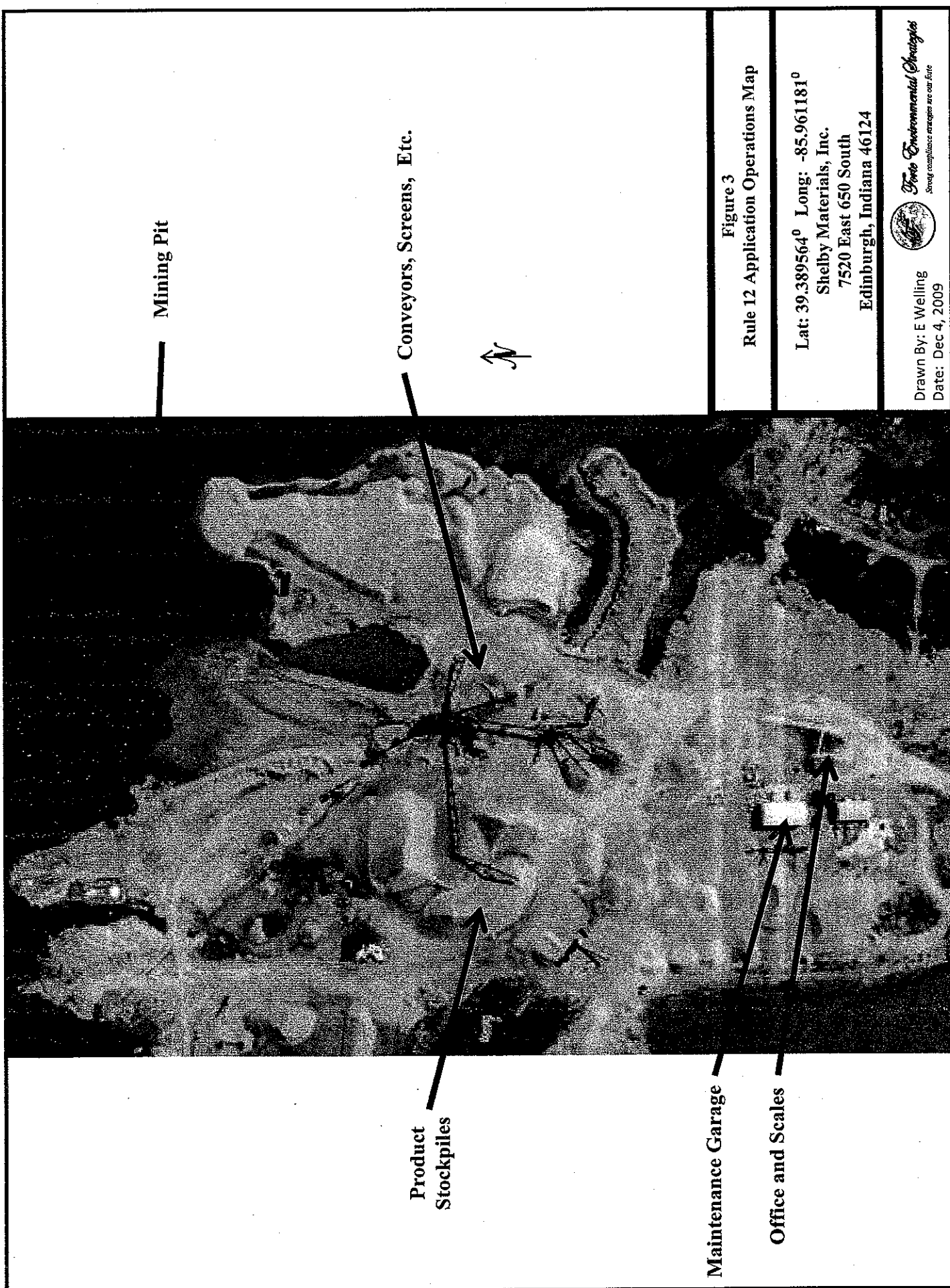
Lat: 39.389564° Long: -85.961181°
Shelby Materials, Inc.
7520 East 650 South
Edinburgh, Indiana 46124



Photo Environmental Strategies
Strong compliance strategies are our forte

Drawn By: E Welling
Date: Dec 4, 2009





Mining Pit

Conveyors, Screens, Etc.



Product
Stockpiles

Maintenance Garage

Office and Scales

Figure 3

Rule 12 Application Operations Map

Lat: 39.389564° Long: -85.961181°

Shelby Materials, Inc.

7520 East 650 South

Edinburg, Indiana 46124



Pinto Environmental Strategies
Strong compliance strategies are our forte

Drawn By: E Welling

Date: Dec 4, 2009

